

ORDINANCE NO. 2004-07

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRAWLEY,
ADDING CHAPTER 7C TO THE CITY OF BRAWLEY'S MUNICIPAL
CODE ESTABLISHING A MANDATORY CONSTRUCTION AND DEMOLITION
DEBRIS RECYCLING PROGRAM.

Recitals

WHEREAS, AB 939 (California Integrated Waste Management Act) requires that each local jurisdiction in the State divert 50% of discarded materials from landfills by December 31, 2000 and requires continued implementation of diversion programs and achievement of that diversion rate; and

WHEREAS, every city and county in California could face fines up to \$10,000 a day for not meeting the above mandated goal; and

WHEREAS, reusing and recycling Construction and Demolition (C&D) debris is essential to further the City's efforts to reduce waste and comply with AB 939 goals; and

WHEREAS, to ensure compliance with this Article and to ensure that those contractors who comply with this Article are not placed at a competitive disadvantage; it is necessary to impose a civil penalty for noncompliance of this Article.

The City Council of the City of Brawley does ordain as follows:

SECTION 1. Chapter 7C is added to the Brawley Municipal Code to read as follows:

7C.1 DEFINITIONS

- (a) "Applicant" means any individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever who applies to the City for the applicable permits to undertake any construction, demolition, or renovation project within the City, unless otherwise specifically exempted by law.
- (b) "Building Official" means the head of community development.
- (c) "Compliance Officer" means the Director of Public Works or designee.
- (d) "Construction" means the building of any structure or any portion thereof including any tenant improvements to an existing facility or structure.
- (e) "Construction and Demolition Debris"

1. Discarded materials generally considered to be non-hazardous in nature, including but not limited to steel, glass, brick, concrete, asphalt material, pipe, gypsum, wallboard, and lumber from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure and/or landscaping, and including rocks, soils, tree remains, trees, and other vegetative matter that normally results from land clearing, landscaping and development operations for a construction project.
 2. Clean cardboard, paper, plastic, wood, and metal scraps from any construction and/or landscape project.
 3. Non-construction and demolition debris wood scraps.
 4. De-minimis amounts of other non-hazardous wastes that are generated at construction or demolition projects, provided such amounts are consistent with best management practices of the industry.
- (f) "C & D Reuse/Recycling Plan" means a completed C & D Reuse/Recycling Plan form, approved by the City for the purpose of compliance with this Article, submitted by the Applicant for any Covered or Non-covered Project.
- (g) "Conversion Rate" means the rate set forth in the standardized Conversion Rate Table (See Appendix A) approved by the City pursuant to this Article for use in estimating the volume or weight of materials identified in C & D Reuse/Recycling Plan.
- (h) "Covered Project" shall have the meaning set forth in of this Article.
- (i) "Deconstruction" means the systematic removal of usage items from a structure.
- (j) "Demolition" means the decimating, razing, ruining, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior.
- (k) "Designated Recyclable and Reusable Materials" means:
1. Masonry building materials including all products generally used in construction including, but not limited to tile, asphalt, concrete, rock, stone, and brick.
 2. Wood materials including any and all dimensional

lumber, fencing or construction wood that is not chemically treated, creosoted, CCA pressure treated, contaminated or painted.

3. Vegetative materials including trees, tree parts shrubs, stumps, logs, brush or any other type of plants that are cleared from a site for construction or other use.
 4. Metals including all metal scrap such as, but not limited to, pipes, siding, window frames, doorframes, and fences.
 5. Roofing materials including wood shingles as well as asphalt, tile, stone and slate based roofing material.
 6. Salvageable materials includes all salvageable materials and structures including, but not limited to non-toxic wallboard, doors, windows, fixtures, toilets, sinks, bath tubs and appliances.
- (l) "Divert" means to use material for any purpose other than disposal in a landfill.
- (m) "Diversion Requirement" means the diversion of at least fifty (50) percent by weight of the total Construction and Demolition Debris generated by a Project via reuse or recycling, unless the Applicant has been granted an Infeasible Exemption pursuant to Section 7C.9 of this Ordinance, in which case the Diversion Requirement shall be the maximum feasible diversion rate established by the Compliance Officer for the Project.
- (n) "Non-covered Project" shall have the meaning set forth in 7C.2(c) of this Article.
- (o) "Project" means any activity which requires an application for a building or demolition permit or any similar permit from the City.
- (p) "Renovation" means any change, addition, or modification in an existing structure.
- (q) "Reuse" means further or repeated use of Construction or Demolition Debris.
- (r) "Salvage" means the controlled removal of Construction or Demolition Debris from a permitted building or demolition site for the purpose of recycling, reuse or storage for later recycling or reuse.

7C.2 THRESHOLD FOR COVERED PROJECTS

- (a) Covered Projects: All construction and renovation

projects within the City, the valuation of which are, or are projected to be, greater than or equal to \$50,000 ('Covered Projects'), shall comply with this Ordinance. The cost of the project shall be the valuation ascribed to the project by the Building Official. In addition, all demolition projects having a total footage of more than 1,000 square feet shall be a Covered Project. Failure to comply with any of the terms of this Ordinance shall subject the Project Applicant to the full range of enforcement mechanisms set forth in this Ordinance.

- (b) City-Sponsored Projects: All City-sponsored construction and renovation projects within the City, the costs of which are, or are projected to be, greater than or equal to \$50,000 ('Covered Projects') shall comply with the ordinance. The cost of the project shall be the valuation attributed to the permit issued by the Building Official. In addition, all demolition projects having a total square footage of more than 1,000 shall be a Covered Project. These City-sponsored Covered Projects shall submit a C & D Reuse/Recycling Plan to the Compliance Officer prior to beginning any construction or demolition activities and shall be subject to all applicable provisions of Ordinance.
- (c) Non-covered Projects: Applicants for construction, demolition, and renovation projects within the City whose permit valuations are less than \$50,000 ('Non-covered Projects') shall be encouraged to divert at least fifty (50) percent of all project-related construction and demolition debris. Information will be available during the permitting process.
- (d) Compliance as a Condition of Approval: Compliance with the provisions of this Ordinance shall be listed as a condition of approval on any building or demolition permit issued for a Covered Project.

7C.3 SUBMISSION OF C & D REUSE/RECYCLING PLAN

- (a) C & D Reuse/Recycling Plan: Applicants for building or demolition permits involving any Covered Project shall complete and submit a C & D Reuse/Recycling Plan. Forms may be (1) picked up, (2) filled out, (3) submitted, and (4) reviewed at the City or IVWMTF.
- (b) Prior To Commencing Work
 - 1. Applicants may pick up the C & D Reuse/Recycling Plan at the City or Imperial Valley Waste Management offices. Applicants will be provided with the following:

- * C & D Reuse/Recycling Plan
- * "Construction Site Recycling Guide"

Applicant must fill out the C & D Reuse/Recycling Plan and return to the City. Applicants may contact the City or IVWMTF for assistance in completing the C & D Reuse/Recycling Plan.

2. The City will review applicant's plan to ensure that developer or contractor is planning on reducing, reusing or recycling waste generated, according to requirements in this ordinance. The City will be asking the following:

- * Is the construction and demolition material that is generated recyclable?
- * Will 50% of waste generated in the project be diverted from landfills?

3. After the C & D Reuse/Recycling Plan has been reviewed by the City, a plan for a building or demolition permit will be returned within a timely manner.

(c) During Activities:

1. Permittee/contractors must use the C&D Reuse and Recycling Plan to document the following:
 - * Volume or weight of each type of recycled material and where the materials are processed.
 - * Volume or weight of all materials disposed (land-filled)
2. Alternate documentation may be used at the discretion of the compliance officer.

(d) At Completion Of Activities

1. Permittee must submit the C & D Reuse and Recycling Plan to the Director of Public Works before the permit can be signed as completed.
2. The Compliance Officer will submit documents to the City staff who will review and analyze the estimated and actual materials reused, recycled or land-filled and notify the Building Division.
3. Failure to provide satisfactory receipts or accomplish plan estimates, could encumber approval of future permits by permittee/owner.

- (e) Calculating Volume and Weight of Debris: In estimating the volume or weight of materials identified in the C & D Reuse/Recycling Plan, the Applicant shall use the standardized Conversion Rates approved by the City for this purpose.
- (f) Deconstruction: In preparing the C & D Reuse/Recycling Plan, applicants for building or demolition permits involving the removal of all or part of an existing structure shall be allowed to deconstruct, and to the maximum extent feasible, and shall make the materials generated thereby available for salvage. Recovered and salvaged designated recyclable and reusable materials from the deconstruction phase shall qualify to be counted in meeting the diversion requirements. Recovered or salvaged materials may be given or sold on the premises or may be removed to reuse warehouse facilities for storage or sale.

7C.4 DEPOSIT REQUIRED

As a condition precedent to issuance of any permit for a building or a demolition permit that involves the production of solid waste destined to be delivered to a landfill, the applicant shall post a cash deposit in the amount of fifty dollars (\$50.00) for each estimated ton of construction and/or demolition debris but not less than five hundred dollars (\$500.00). The deposit or cash bond shall be returned, without interest, in total or in proportion, upon proof to the satisfaction of the Compliance Officer, that no less than the required percentages or proven proportion of those percentages of the tons of debris generated by the demolition and/or construction project have been diverted from landfills and have been recycled or reused. If a lesser percentage of tons or cubic yards than required is diverted, a proportionate share of the deposit will not be returned. The deposit shall be forfeited entirely or to the extent that there is a failure to comply with the requirements of this chapter. The amount of this fee shall be determined in accordance with the then current resolution of the City Council determining the same.

7C.5 ADMINISTRATIVE FEE

As a condition precedent to issuance of any permit for a building or a demolition permit that involves the production of solid waste destined to be delivered to a landfill, the applicant shall pay to the City a cash fee sufficient to compensate the City for all expenses incurred in the review and inspection of the project, determining the construction and demolition plan, and determining compliance. The amount

of this fee shall be determined in accordance with the then current resolution of the City Council determining the same.

7C.6 REPORTING

During the term of the demolition or construction project, the contractor shall recycle or divert the required percentages of materials, and keep records thereof in tonnage or in other measurements approved by the Compliance Officer that can be converted to tonnage. The Compliance Officer will evaluate and monitor each project to gauge whether the diversion of a minimum of the required percentages of the demolition and construction debris will be measured separately with respect to the demolition segment and the construction segment of a project where both demolition and construction are involved. On-site separation shall be undertaken to the extent feasible.

7C.7 REVIEW OF C & D REUSE/RECYCLING PLAN

- (a) Approval: Notwithstanding any other provision of this Code, no building or demolition permit shall be issued for any Covered Project unless and until the Compliance Officer has approved the C & D Reuse/Recycling Plan. Approval shall not be required, however, where an emergency demolition is required to protect the public health, welfare or safety as determined by the Building Official. The Compliance Officer shall only approve a C & D Reuse/Recycling Plan if the intent of the ordinance has been met.
- (b) Non-approval: If the Compliance Officer determines that the C & D Reuse/Recycling Plan is incomplete or fails to meet the intent of the requirements of this ordinance, he shall return the C & D Reuse/Recycling Plan to the Applicant marked "Denied," including a statement of reasons, and so notify the Building Division.

7C.8 COMPLIANCE WITH RECYCLING PLAN

- (a) Documentation: Within sixty (60) days following the completion of the demolition project, and again within sixty (60) days following the completion of the construction project, the contractor shall, as a condition precedent to final approval and to issuance of any certificate of occupancy, submit documentation to the Compliance Officer that the Diversion Requirement for the Project has been met. The Diversion Requirement shall be that the Applicant has complied with the C&D Reuse/Recycling Plan. Any deposit posted pursuant to Section 7C.4 shall be forfeited if the permittee does not meet the timely reporting requirements of this section. This documentation shall include all of the following:

1. Receipts from the vendor or facility which collected or received each material showing the actual weight or volume of that material;
2. A copy of the previously approved C & D Reuse/Recycling Plan for the Project adding the actual volume or weight of each material diverted and land-filled;
3. Any additional information the Applicant believes is relevant to determining its efforts to comply in good faith with this Ordinance.

(b) Weighing of Wastes: Applicants shall make reasonable efforts to ensure that all construction and demolition debris diverted or landfilled are measured and recorded using the most accurate method of measurement available. To the extent practical, all construction and demolition debris shall be weighed by measurement on scales. Such scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For construction and demolition debris for which weighing is not practical due to small size or other considerations, a volumetric measurement shall be used. For conversion of volumetric measurements to weight, the Applicant shall use the standardized Conversion Rates approved by the City for this purpose.

(c) Determination of Compliance: The Compliance Officer shall review the information submitted under C&D Reuse/Recycling Plan and determine whether the Applicant has complied with the Diversion Requirement, as follows:

1. Full Compliance: If the Compliance Officer determines that the Applicant has fully complied with the Diversion Requirements applicable to the Project, he shall approve the C & D Reuse/Recycling Plan and inform the Building Division that a Certificate of Occupancy can be issued.
2. Substantial Compliance: If the Compliance Officer determines that the Diversion Requirement has not been achieved, he shall determine on a case-by-case basis whether the Applicant has made a good faith effort and is in substantial compliance with this Ordinance. In making this determination, the Compliance Officer shall consider the availability of markets for the Construction and Demolition debris land-filled, the size of the Project, and the documented efforts of the Applicant to divert Construction and Demolition debris. If the Compliance Officer determines that the Applicant has made a good faith effort to comply with this Ordinance and is in substantial compliance, he shall approve the C & D Reuse/Recycling Plan and

inform the Building Division that a Certificate of Occupancy can be issued.

3. **Noncompliance:** If the Compliance Officer determines that the Applicant is not in substantial compliance with this ordinance, or if the Applicant fails to submit the documentation required by Section 7C.8 then the applicant shall pay a penalty as prescribed in Section 7C.4.
- (d) **Falsification of Records:** If the Applicant deliberately provides false or misleading data to the City in violation of this Ordinance, the Applicant may be subject to penalties in addition to those specified in Section 7C.4. In any civil enforcement action, administrative or judicial, the City shall be entitled to recover its attorneys' fees and costs from an Applicant who is determined by a court of competent jurisdiction to have violated this Ordinance.
- (e) **Final Approval:** All conditions of this Ordinance shall be met prior to final approval by the Building Division.

7C.9 INFEASIBLE EXEMPTION

- (a) **Application:** If an Applicant for a Covered Project experiences unique circumstances that the Applicant believes make it not feasible to comply with the Diversion Requirement, the Applicant may apply for an exemption at the time that he submits the C & D Reuse/Recycling Plan required under Section 7C.3 of this Ordinance. The Applicant shall indicate on the C & D Reuse/Recycling Plan the maximum rate of diversion he believes is feasible for each material and the specific circumstances that he believes make it not feasible to comply with the Diversion Requirement.
- (b) **Meeting with Compliance Officer:** The Compliance Officer shall review the information supplied by the Applicant and may meet with the Applicant to discuss possible ways of meeting the Diversion Requirement. The Compliance Officer may request that staff from the Imperial Valley Waste Management Task Force or designee attend this meeting or may require the Applicant to request a separate meeting with IVWMTF staff. Based on the information supplied by the Applicant and, if applicable, IVWMTF staff or designee, the Compliance Officer shall determine whether it is possible for the Applicant to meet the Diversion Requirement.
- (c) **Granting of Exemption:** If the Compliance Officer determines that it is not feasible for the Applicant to meet the Diversion Requirement due to unique circumstances, he shall determine the maximum feasible diversion rate for each material and shall indicate this rate on the C & D Reuse/Recycling Plan submitted by the Applicant. The Compliance Officer shall return a copy of the C & D

Reuse/Recycling Plan to the Applicant marked 'Approved' or 'Unapproved' and shall notify the Building Division if approved

- (d) Denial of Exemption: If the Compliance Officer determines that it is possible for the Applicant to meet the Diversion Requirement, he shall so inform the Applicant in writing. The Applicant shall have 30 days to resubmit a C & D Reuse/Recycling Plan form in full compliance with this Ordinance. If the Applicant fails to resubmit the C & D Reuse/Recycling Plan, or if the resubmitted C & D Reuse/Recycling Plan does not comply with this Ordinance, the Compliance Officer shall deny the C & D Reuse/Recycling.

7C.10 APPEALS

- (a) Contents of Appeals: An appeal of the Compliance Officer decision may be made to the Director of Public Works in writing not longer than ten (10) days after the Compliance Officer's decision. The decision of the Director of Public Works shall be final. The appellant must specifically state in the notice of appeal:
 - 1. The name and address of the appellant and appellant's interest in the decision;
 - 2. The nature of the decision appealed from and/or the conditions appealed from;
 - 3. A clear, complete, but brief statement of the reasons why, in the opinion of the appellant, the decision or the conditions imposed were unjustified or inappropriate; and
 - 4. The specific facts of the matter in sufficient detail to notify the City. The appeal shall not be stated in generalities.
- (b) Acceptance of Appeal: An appeal shall not be accepted by the Director of Public Works unless it is complete.

7C.11 CIVIL PENALTIES

- (a) Civil Penalty: If the Compliance Officer, or upon appeal, the Director of Public Works determines that an Applicant is in noncompliance as described in Section 7C.10, the Applicant shall pay a civil penalty in the amount calculated as two (2) percent of the total Project valuation. Until the civil penalty is paid, a Certificate of Occupancy may be withheld by the Building Division.
- (b) Enforcement: The City Attorney is authorized to bring a



CONSTRUCTION & DEMOLITION REUSE AND RECYCLING PLAN

The City of Brawley is requesting that all applicants prepare a waste management and recycling plan by completing the following form for construction and demolition materials produced as a result of work performed in the City of Brawley. The City requires that contractors recycle materials when there is a viable recycling company available.

The Imperial Valley Waste Management Task Force Staff will provide assistance to applicants in developing and implementing the waste management and recycling plan by calling (760) 337-4537.

COMPANY NAME: _____

CONTACT: _____

ADDRESS: _____

PHONE: _____

JOB SITE: _____

FAX #: _____

Please fill out the following form for submittal. The form will help to identify the types of materials, estimated quantities of materials and how the material will be transported and recycled or disposed. If you have any questions regarding the form or recycling and disposal, please call (760) 337-4537.

Circle the material that will be generated at the construction site, estimate the quantity, list how the materials will be transported and write in where the materials will be taken.

MATERIALS	ESTIMATE QUANTITY (in yards and tons)	HAULER (List hauler's name of not self-haul)	RECYCLING COMPANY OR DISPOSAL SITE (If self-haul)
Salvage and used building materials			
Wood			
Plant Debris			
Gypsum Wallboard			

Glass			
Soil			
Corrugated Cardboard			
Metals			
Masonry Tile			
Concrete / Asphalt			
Toilets (Porcelain)			
Carpet Padding (Foam)			
Others			
Mixed Loads (i.e. Trash, Plastic, Packaging, ect.)			

FOR IVWMTF USE ONLY

Approval Status:

Approved

Further explanation needed, see attached

Denied

Reviewed by:

Date:



Construction & Demolition Conversion Rates

Material / Item	Size / Amount	Pounds	Tons
Ashes, dry	1 Cubic foot	35	0.0175
Ashes, wet	1 Cubic foot	45	0.0225
Asphalt, crushed	1 Cubic foot	45	0.0225
Asphalt / paving, crushed	1 Cubic foot	1,380	0.69
Asphalt / Shingles comp, loose	1 Cubic foot	418	0.209
Asphalt / Tar roofing	1 Cubic foot	2,919	1.4595
Bone meal, raw	1 Cubic foot	54	0.027
Brick, common hard	1 Cubic foot	112	0.056
Brick, whole	1 Cubic foot	3,024	1.512
Carpet and padding, loose	1 Cubic yard	84	0.042
Cement, bulk	1 Cubic foot	100	0.05
Cement, mortar	1 Cubic foot	145	0.0725
Ceramic Tile, loose 6"x 6"	1 Cubic foot	1,214	0.607
Chalk, lumpy	1 Cubic foot	75	0.0375
Charcoal	1 Cubic foot	15	0.0075
Clay, kaolin	1 Cubic foot	22	0.011
Clay, potter's dry	1 Cubic foot	119	0.0595
Concrete, cinder	1 Cubic foot	90	0.045
Concrete, scrap, loose	1 Cubic foot	1,855	0.9275
Cork, dry	1 Cubic foot	15	0.0075
Earth, common, dry	1 Cubic foot	70	0.035
Earth, loose	1 Cubic foot	76	0.038
Earth, moist, loose	1 Cubic foot	78	0.039
Earth, mud	1 Cubic foot	104	0.052
Earth, wet, containing clay	1 Cubic foot	100	0.05
Fiberglass insulation, loose	1 Cubic foot	17	0.0085
Fines, loose	1 Cubic foot	2,700	1.35
Glass, broken	1 Cubic foot	80	0.04
Glass, plate	1 Cubic foot	172	0.086
Glass, window	1 Cubic foot	157	0.0785
Granite, broken or crushed	1 Cubic foot	95	0.0475
Granite, solid	1 Cubic foot	130	0.065
Gravel, dry	1 Cubic foot	100	0.05
Gravel, loose	1 Cubic foot	2,565	1.2825
Gravel, wet	1 Cubic foot	100	0.05
Gypsum, pulverized	1 Cubic foot	60	0.03

Gypsum, solid	1 Cubic foot	142	0.071
Lime, hydrated	1 Cubic foot	30	0.015
Limestone, crushed	1 Cubic foot	85	0.0425
Limestone, finely ground	1 Cubic foot	99	0.0495
Material / Item	Size / Amount	Pounds	Tons
<u>Yard Waste</u>			
Yard trimmings, mixed	1 Cubic yard	108	0.054
Yard trimmings, mixed	40 Cubic yards	4,320	2.16
Grass	33 gallons	25	0.0125
Grass	3 Cubic yards	840	0.42
Grass & leaves	3 Cubic yards	325	0.1625
Large limbs and stumps	1 Cubic yard	1,080	0.54
Leaves, dry	1 Cubic yard	343	0.1715
Leaves	33 gallons	12	0.006
Leaves	3 Cubic yards	200	0.1
Prunings, dry	1 Cubic yard	36	0.018
Prunings, green	1 Cubic yard	46	0.023
Prunings, shreadded	1 Cubic yard	527	0.2635
<u>Wood</u>			
Cork, dry	1 Cubic foot	15	0.0075
Pallet, wood or plastic	Average 48"x 48"	40	0.02
Particle board, loose	1 Cubic yard	425	0.2125
Plywood, sheet 2'x4'	1 Cubic yard	776	0.388
Roofing / shake shingle, bundle	1 Cubic yard	435	0.2175
Sawdust, loose	1 Cubic yard	375	0.1875
Shavings, loose	1 Cubic yard	440	0.22
Wood chips, shredded	1 Cubic yard	500	0.25
Wood scrap, loose	1 Cubic yard	329	0.1645
Wood, bark, refuse	1 Cubic foot	30	0.015
Wood, pulp, moist	1 Cubic foot	45	0.0225
Wood, shavings	1 Cubic foot	15	0.0075

Source: California Integrated Waste Management Board 2002

civil action in any court of competent jurisdiction to recover such civil penalties for the City of Brawley.

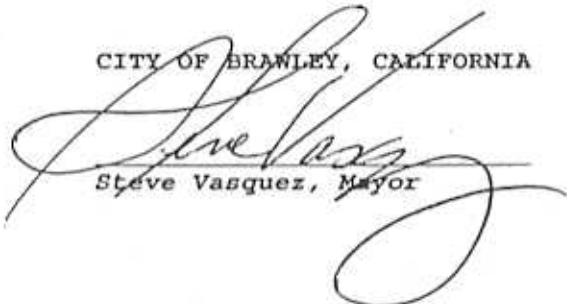
7C.12 SEVERABILITY

If any subdivision, paragraph, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this ordinance, or any other provisions of the City's rules and regulations. It is the City's express intent that each remaining portion would have been adopted irrespective of the fact that any one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

SECTION 2. This Ordinance shall take effect and shall be in force thirty (30) days after the date of its adoption and prior to the expiration of fifteen (15) days from the passage thereof, shall be published at least once in the Imperial Valley Press, a newspaper of general circulation, printed and published in the County of Imperial, State of California, together with the names of the members of the City Council voting for and against the same.

APPROVED, PASSED & ADOPTED by the Council of the City of Brawley on the 20th day of July, 2004

CITY OF BRAWLEY, CALIFORNIA


Steve Vasquez, Mayor

ATTEST:


Janet P. Smith, City Clerk


STATE OF CALIFORNIA]
COUNTY OF IMPERIAL]
CITY OF BRAWLEY]

1st Reading

I, JANET P. SMITH, City Clerk of the City of Brawley, California DO
HEREBY CERTIFY that the foregoing Ordinance No. 2004-07 was approved for 1st
reading by the City Council of the City of Brawley, California, at a regular
meeting held on the 6th day of July, 2004, and that it was so adopted by the
following roll call vote: m/s/c Benson/Campbell

AYES:	Benson, Campbell, Carrillo, Shields, Vasquez
NAYES:	None
ABSTAIN:	None
ABSENT:	None

Dated: July 6, 2004


Janet P. Smith, City Clerk

2nd Reading

I, JANET P. SMITH, City Clerk of the City of Brawley, California DO
HEREBY CERTIFY that the foregoing Ordinance No. 2004-07 was approved for 2nd
reading by the City Council of the City of Brawley, California, at a regular
meeting held on the 20th of July, 2004, and that it was *passed and adopted* by
the following roll call vote: m/s/c Campbell/Carrillo

AYES:	Campbell, Carrillo, Shields, Vasquez
NAYES:	None
ABSTAIN:	None
ABSENT:	Benson

Dated: July 20, 2004


Janet P. Smith, City Clerk